

REMARKS

In response to the Examiner's objection to the improper printing of the last four pages of the specification, applicant has repaginated the application and enclosed herewith is a reprinted, repaginated substitute copy of the application. Applicant requests that this substitute, reprinted copy of the application be substituted in place of the application originally filed. The substitute application, except for pagination is identical to the originally filed application and does not contain any new matter.

The Examiner's rejection to claim 5, is overcome by the amendment of dependency claim 5 set forth above.

In response to the Examiner's rejection of claims 1 and 2 under 35 U.S.C. §112 for being indefinite on the grounds that the term "super" is not clear to the Examiner, applicant has amended claims 1 and 2 to delete the term "super" and to define the balloon as having a high strength for resisting of bursting during over inflation. In other words, the balloon has a high tensile strength.

In any event, it should be clear from the specification that "super" means improved strength and that applicant obtains a high-strength balloon by using reinforced polymers and nano materials, i.e. nanoclay, carbon nanoclay or ceramic nano materials.

The Examiner's rejection to claim 2 under 35 U.S.C. §112 for being indefinite because of the use of the language "nylon or 12" is believed to be overcome by the amendment of the language to --nylon 12 or--.

The Examiner's rejection of claims 1-15 under 35 U.S.C. §102(e) for being anticipated by the Weber Published U.S. Patent Application No. US 2003/0065355A1, as this rejection may be attempted to be applied to the amended claims, is respectfully traversed.

In support of this traverse, applicant is submitting herewith a Declaration under Rule 131 by the applicant/inventor, Mr. Oscar Jimenez.

In his Declaration, Mr. Jimenez, points out that he had conceived of his super balloon in the spring of 2001.

Further he states that he constructed a balloon with nanotubes therein as early as June 2001. A copy of a purchase order for materials for making the super balloon and a picture of the super balloon are attached to his Declaration.

Applicant submits that upon entry and acceptance of the Declaration submitted herewith under Rule 131, the Weber publication should be withdrawn as a citable reference against the claims of the subject application.

Further, once this is done applicant submits that the application will be in condition for allowance. An early and favorable action to that end is requested.

Respectfully submitted,

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Date

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